

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JAYWAN CALHOUN and JOY
CALHOUN-THORNTON, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

ALICE DISOLETTA CALHOUN,

Respondent-Appellant,

and

JONATHAN MAURICE THORNTON,

Respondent.

UNPUBLISHED

June 2, 2009

No. 288409

Wayne Circuit Court

Family Division

LC No. 91-292406-NA

Before: Sawyer, P.J., and Murray and Stephens, JJ

STEPHENS, J. (*concurring*).

I concur with the holding in this case, but not the implication that holding a separate best interest hearing is not the presumptive method for affording an opportunity to present evidence on best interest issues. *In re AMAC*, 269 Mich App 533, 538; 711 NW2d 426 (2006). In this case, the record below does not establish that the attorney for respondent asked for, and was denied, a separate hearing on best interests or objected to the immediate disposition. Moreover, the appellate brief failed to articulate any evidence that would have been proffered at a best interest hearing that might have led to a different result.

/s/ Cynthia Diane Stephens